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PATENT

ATTORNEY DOCKET NO.: 041464-5018-01

#24
2/21/02
Dm

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tomohiro KAWATA et al

U.S. Application No.: 08/931,615

Filing Date: September 16, 1997

For: SPEAKER UNIT

Group Art Unit: 2643

Examiner: H. Le

Technology Center 2600

JAN 28 2002

FAX RECEIVED

Commissioner for Patents
Washington, D.C. 20231

VIA FACSIMILE
Attention: Ms. Margaret Stevens, SLIE

Sir:

**PETITION UNDER 37 C.F.R. § 1.181 TO RESET THE
PERIOD FOR REPLY TO AN EXAMINER'S ANSWER**

Pursuant to 37 C.F.R. § 1.181 Applicants hereby respectfully petition the Commissioner to reset the period for reply to the Examiner's Answer due to late receipt of the Answer. Applicants' reason in support of this Petition is that the Examiner's Answer, the first two pages of which are attached, is dated as having been mailed on November 27, 2001; however, due to an apparent delay in the U.S. Postal System, this correspondence was not delivered to our Firm until January 15, 2002.

In support of this Petition, Applicants respectfully submit the first page of the Official Communication forwarding the Examiner's Answer, which is dated as having been mailed from the PTO on November 27, 2001. The Commissioner's attention is respectfully drawn to our Firm's "Received" stamp indicating the Examiner's Answer arrived at our firm on January 15, 2002. It is our longstanding Firm policy and practice to date-stamp papers received from the

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COMMUNICATIONS SECTION

JAN 18 2002 1:01 AM FR 73

73 TO 7033084407

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U.S. Application No. 08/931,615
Attorney Docket No. 041464-5018-01
Page 2

PTO as "Received" on the day of receipt. We thus submit this as evidence that the Examiner's Answer did not arrive at our Firm until January 15, 2002.

For the foregoing reasons, Applicants hereby respectfully petition the Commissioner to reset the two-month period for reply to the Examiner's Answer and to request an oral hearing to run from January 15, 2002, which was the actual date of receipt of this paper at our Firm.

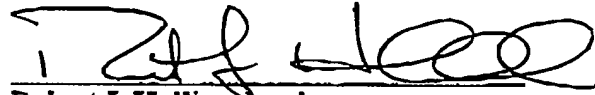
If required, please charge the requisite \$130.00 petition fee due under 37 C.F.R. § 1.17(h) to our Deposit Account No. 50-0310. The Commissioner is hereby authorized to charge any additional fees which may be necessary, or credit any overpayment, to our Deposit Account No. 50-0310.

In view of the very short period remaining in the original period set for reply to the Examiner's Answer, an early decision is respectfully and earnestly solicited.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: January 18, 2002

By:


Robert J. Hollingshead
Reg. No. 44,479

CUSTOMER NO. 009629
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/931,615	09/16/1997	TOMOHIRO KAWATA	041464-5018	4409

7590

11/27/2001

MORGAN LEWIS & BOCKIUS
 1800 M STREET NW
 WASHINGTON, DC 200365869

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MORGAN LEWIS & BOCKIUS LLP

EXAMINER

LE, HUYEN D

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 11/27/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed 1-15-02 Attorney TGS/BJH
 Case 41464-5018
 Due Date 1-27-02
 Action Reply Brief / Oral Hearing
 By PJB Chk

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UNITED STATES DEPARTMENT OF COMMERCE
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 23

Application Number: 08/931,615
Filing Date: 09/16/1997
Appellant(s): Kawata et al.

PHILIP J. HOFFMANN
For Appellant

Mailed

NOV 20 2001

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EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed 09/06/2001.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

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1911 South Clark Place
Arlington, VA 22202

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Phone No. 703-305-3608

Facsimile Transmittal

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Attn: Earline Green

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Margaret Stevens

Date: January 28, 2002

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COUNSELLORS AT LAW

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Comments:

Re: U.S. Patent Application No. 08/931,615
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AND INTERIM COUNSEL